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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,317	11/21/2001	Ted G. Yoshidome	5006/ISM/L/B/DV	5107
32588	7590	01/10/2005		
APPLIED MATERIALS, INC. 2881 SCOTT BLVD. M/S 2061 SANTA CLARA, CA 95050			EXAMINER MACARTHUR, SYLVIA	
			ART UNIT 1763	PAPER NUMBER

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,317

Applicant(s)

YOSHIDOME ET AL.

Examiner

Sylvia R MacArthur

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al (US 5,925,189) in view of Chen et al (US 6,267,820).

Nguyen et al teaches a liquid phosphorus precursor delivery apparatus.

Regarding claims 1, 2, 14: Nguyen et al further teaches an injection valve 24 (injector/vaporizer) that is coupled to a process chamber 12 wherein the vaporizer includes a spring 64 positioned in a liquid material inlet passage that is connected to a vaporization chamber, see Fig. 3-5.

Nguyen fails to teach one or more grids.

Chen teaches a clog resistant injection valve (vaporizer).

The vaporizer is coupled to a deposition chamber where the vaporizer includes one or more grids (piezoelectric actuator 23) see col. 1 lines 22-26.

The motivation to modify the vaporizer of Nguyen et al to includes one or more grids, namely the piezoelectric actuator provides wave generation that avoids valve clogging. Thus, it would have been obvious for one of ordinary skill in the art at the time

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of the claimed invention to modify the vaporizer of Nguyen et al to include one or more grids in the liquid inlet passage to prevent clogging of the valve.

Regarding claims 3, 15, 16: The piezoelectric actuator 23 of Nguyen et al comprises at least one array of interlocking stripes attached to a frame as illustrated in Fig. 1 and 2A.

Regarding claims 4, 6, 10, 12, 17, 19, 23: The piezoelectric actuator 23 of Nguyen et al is coupled to a DC voltage generator 25.

Regarding claims 7 –9, 20, 22: According to col.2 lines 55-65 of Nguyen et al, injection valve 44 for liquid TEB is provided with a liquid flow meter 48.

Regarding claims 5, 11, 18, 24: The piezoelectric actuator 23 and flexible plate 27 read on the two or more grids. Figures 1 and 2A are positioned perpendicular to each other in the liquid material inlet passage. References here are made to the prior art by Chen et al

Regarding claims 13, 21, and 26: Col. 3 lines 38-58 of Chen et al also teaches a flow meter and that this flow meter (controller) causes the expansion and contracting of the predetermined duty cycle.

Regarding claim 25: Col. 3 lines 1-4 teaches that the DC voltage generator teaches selective opening and closing of the piezoelectric.

Response to Arguments

3. Applicant's arguments with respect to claims 1-26 have been considered but are unpersuasive. The prior art used in the aforementioned rejections stand as the Nguyen and Chen references are available under 102 (a). Specifically the instant application has an effective filing

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date of 11/21/2001 whereas the Chen patent was published in 7/31/2001 and the Nguyen patent was published in 7/20/1999.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sylvia R MacArthur whose telephone number is 571-272-1438. The examiner can normally be reached on M-F 9:30 a.m. – 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory L. Mills can be reached on 571-272-1439. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sylvia R MacArthur
Patent Examiner
Art Unit 1763

January 7, 2005

P. Hassanzadeh
primary Examiner
AU 1763